IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE EIGHTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA, THE CHIEF JUSTICE

and
HON'BLE SRI JUSTICE C.V.RAMULU

WRIT APPEAL No.1590 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated 29/09/2004 in WP No.5095 OF 2004 on the file of the High Court.)

Between:

Mohd. Soheb Hasan,

S/o. Syed Sydul Hasan,
R/o. Road No.3, Banjara Hills,

Hyderabad.

..... APPELLANT

AND

1 Registrar, Osmania University, Hyderabad.
2 Controller of Examinations, Examinations Branch,

Osmania University,
Hyderabad.
3 Principal, Mukhafum Jah College of Engineering and

Technology, Road No.3, Banjara Hills,

Hyderabad.

.....RESPONDENTS

Counsel for the Appellant : Sri V.VENKATARAMANA

Counsel for the Respondents 1 & 2: Sri DEEPAK BHATTACHARJEE

The Court made the following :

JUDGMENT: (Per Hon'ble the Chief Justice)

"On Being Mentioned"

The case has been taken up on mention being made by the learned counsel for the appellant that there is a mistake, which has crept in the order due to wrong facts being stated by him when appeal was taken up for consideration. Accordingly, we heard learned counsel for the appellant. While submissions are being made, learned counsel for the appellant had expressed desire that he will not seek any clarification or modification of the order, but he be permitted to withdraw the writ appeal with leave and liberty reserved to the appellant to question the order passed by the University in its order dated 12th October, 2004 communicated to the appellant.

Writ petition was allowed by the learned single Judge with certain observations thereby remitting the case to second respondent with direction to pass appropriate orders within one week from the date of receipt of that order. In order to comply with the order passed by the learned single Judge, the Controller of Examination, Osmania University, on 12th October, 2004 passed the order. This order the appellant wants to challenge separately and does not want to press the writ appeal. Accordingly, we recall our order dated 26-10-2004 and dismiss the writ appeal as not pressed with liberty reserved to the appellant to challenge the order of the second respondent dated 12th October, 2004 in accordance with law.

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DEVINDER GUPTA, C.J.

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C.V.RAMULU, J

08-11-2004

bsc

To

1 Registrar, Osmania University, Hyderabad.
2 Controller of Examinations, Examinations Branch,

Osmania University,
Hyderabad.
3 2 CCs